

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA	)	
	)	
v.	)	NO. 2:04-CR-08
	)	
JIMMY C. SCOTT and	)	
CLARA L. SCOTT	)	

**ORDER**

This criminal matter came before the Court for hearing on the defendants'

objections to the Report and Recommendations filed by the United States Magistrate Judge, recommending the denial of two motions to dismiss filed by the defendants. The Court has addressed the defendants' second motion to dismiss in a Order entered contemporaneous to this Order. At the hearing, the government indicated that in light of its superceding indictment, the defendants' first motion to dismiss was moot. The defendants disagreed, and counsel for Jimmy Scott indicated that they would be filing an additional motion to address the applicability of the first motion to dismiss to the superceding indictment. The parties also jointly moved for a continuance of the trial, indicating the case was much more complex than originally anticipated. In light of counsel's indication that additional pleadings will be filed with respect to the

applicability of the first motion to dismiss to the superceding indictment, the Court hereby **RESERVES** ruling on the objection to the Report and Recommendation as to the first motion to dismiss. [Doc. 73]. It is **ORDERED** that the motion to continue is **GRANTED**. The Court **FINDS** that this is a complex case, the parties having represented that discovery consists of over 2,000 pages, including a nearly 60 page summary of specific financial transactions, and that additional time will be needed for effective preparation. 18 U.S.C. § 3161(h)(8)(B)(iv).

The trial is hereby **CONTINUED** from February 22, 2005 to April 19, 2005. The parties may file additional motions solely to challenge the superceding indictment on or before February 22, 2005.

ENTER:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE